



DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 73

[Docket No. FDA-2020-C-2131]

Listing of Color Additives Exempt from Certification; Jagua (Genipin-Glycine) Blue;

Confirmation of Effective Date

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule; confirmation of effective date.

SUMMARY: The Food and Drug Administration (FDA or we) is confirming the effective date of December 4, 2023, for the final rule that appeared in the *Federal Register* of November 3, 2023, and that amended the color additive regulations to provide for the safe use of jagua (genipin-glycine) blue as a color additive in various food categories at levels consistent with good manufacturing practice.

DATES: The effective date of December 4, 2023, for the final rule published in the Federal Register of November 3, 2023 (88 FR 75490) is confirmed.

ADDRESSES: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> and insert the docket number found in brackets in the heading of this final rule into the “Search” box and follow the prompts, and/or go to the Dockets Management Staff, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

FOR FURTHER INFORMATION CONTACT: Shayla West-Barnette, Office of Food Additive Safety (HFS-255), Center for Food Safety and Applied Nutrition, Food and Drug Administration, 5001 Campus Dr., College Park, MD 20740, 240-402-1262.

SUPPLEMENTARY INFORMATION: In the *Federal Register* of November 3, 2023 (88 FR 75490), we amended the color additive regulations to add § 73.225 (21 CFR 73.225), “Jagua (genipin-glycine) blue,” to provide for the safe use of jagua (genipin-glycine) blue as a color

additive at levels consistent with good manufacturing practice in flavored milk; dairy drinks and substitutes; dairy and dairy alternative yogurt; ice cream, frozen dairy and dairy alternative desserts, puddings, gelatins, ices, sorbets; ready-to-eat multicolored cereals; flavored potato chips, tortilla, corn, and other chips; candy and chewing gum; non-alcoholic fruit based/flavored drinks, nutritional beverages and smoothies; flavored cream cheese-based spreads; and icings, frostings, jams, syrups, and fruit toppings and fillings.

We gave interested persons until December 4, 2023, to file objections or requests for a hearing. We received no objections or requests for a hearing on the final rule. Therefore, we find that the effective date of the final rule that published in the *Federal Register* of November 3, 2023, should be confirmed.

#### List of Subjects in 21 CFR Part 73

Color additives, Cosmetics, Drugs, Foods, Medical devices.

Therefore, under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321, 341, 342, 343, 348, 351, 352, 355, 361, 362, 371, 379e) and under authority delegated to the Commissioner of Food and Drugs, we are giving notice that no objections or requests for a hearing were filed in response to the November 3, 2023, final rule. Accordingly, the amendments issued thereby became effective December 4, 2023.

Dated: January 17, 2024.

Lauren K. Roth,

Associate Commissioner for Policy.

[FR Doc. 2024-01106 Filed: 1/22/2024 8:45 am; Publication Date: 1/23/2024]